

**Washington County Land Use Authority Meeting  
July 08, 2014**

The Washington County Land Use Authority Meeting was held Tuesday, July 08, 2014 in the Council Chambers of the Washington County Administration Building located at 197 E. Tabernacle, St. George, UT. The meeting was convened by Chairman Doug Wilson at 1:37 p.m. He led the Pledge of Allegiance after which, he explained meeting protocol.

Commissioners present: JoAnn Balen, Dave Everett, Kim Ford, Rick Jones, and Mike Stucki.

Excused: Deborah Christopher.

Staff present: Scott Messel, Planning & Zoning Administrator; Eric Clark, Deputy County Attorney; Stephen Vincent, County Attorney Intern; Kurt Gardner, Building Official; Todd Edwards, County Engineer; Doreen Bowers-Irons, Planning Secretary; Kim Hafen, County Clerk; Dean Cox County Administrator.

Chairman Wilson asked for an update on the RV ordinance and if it was approved by the County Commission. Mr. Messel reported the Commission sent it back to Planning for amendments. They want it to address the Kolob area so the property owners there were not under the same time restrictions as the other areas of the County and would be able to have their RV's during the summer months. Mr. Vincent explained the progress of where they are with the ordinance; stating hopefully it would come back to the commission next month.

**I. CONDITIONAL USE PERMIT.** Review of request for a 6 month extension to use RV/Camp Trailer as temporary dwelling. Located at 262 South 700 West, Veyo Utah. Zoned RA-1 (Residential Agricultural 1 acre minimum lot size); Applicant: Charles Hart.

Mr. Messel reported Charles Hart is the owner of Lot 14 of Old Spanish Trails Homesteads Subdivision. The Lot is 3.91 acres in size. Approximately 6 months ago, he submitted plans for a building permit and received approval to use a 5<sup>th</sup> wheel trailer as a temporary dwelling on his property. Work has not started on the permanent dwelling. County Code (10-14-11) states that "such temporary approval shall not be made for a period exceeding six (6) months. Extensions may be granted, for cause, by the planning commission for additional six (6) months extension up to a maximum of twenty four (24) months or four (4) such extensions". The applicant has stated he needs to sell a home in Texas before work can begin on the permanent dwelling. Staff has concerns about camp trailers, RV's and 5<sup>th</sup> wheel trailers being used as dwellings for an extended period of time. They are not intended to be permanent dwellings and cannot meet the building standards of permanent structures. Staff often receives complaints from adjacent property owners when individuals live in 5<sup>th</sup> wheels, RV's or camp trailers.

**Recommendation:**

Staff recommends that the Planning Commission approve the conditional use permit to use a 5<sup>th</sup> wheel trailer as a temporary dwelling for 6 months from the date of this meeting. If at that time, work has not begun on the permanent dwelling, no additional extension be granted. The conditional use was properly noticed.

Charles Hart reported the 5<sup>th</sup> wheel was placed where an old mobile home had been located. The septic is in place and the health department had inspected it and approved it for use. The storage shed was in place when they purchased the property. They have a home in Texas that is in the process of being sold and are hoping to close by the end of next month. Once that is done they will start to build their home.

They submitted plans and received a building permit last year. They have no intent to live in the RV on a permanent basis.

Commissioner Everett asked where the home would be placed. Mr. Hart explained where the home would be located on the property, which was not where the RV is currently placed.

Commissioner Ford asked Mr. Hart if he had a contractor or was building the home himself. Mr. Hart stated he had a contractor who is currently taking bids for the work.

Chairman Wilson stated he thought this was a legitimate purpose and called for a motion.

**MOTION: Commissioner Balen MOVED to approve the conditional use permit request for an extension to use RV/Camp Trailer as a temporary dwelling. Located at 262 South 700 West, Veyo Utah; Zoned RA-1 (Residential Agricultural 1 acre minimum lot size); Applicant: Charles Hart. Commissioner Everett asked if the existing septic system would be used. Mr. Hart stated it is and will be. Commissioner Everett then SECONDED. Chairman Wilson called for discussion on the motion. There being none, he called for a vote. The motion carried with all five (5) Commissioners voting in favor.**

**II. ORDINANCE AMENDMENT.** Consideration of new Ordinance, Title 10, Chapter 26, HOME OCCUPATION, and amending applicable definitions and sections. Making it possible for home based businesses to use accessory buildings; creating and defining Minor and Major Home Occupation.

Mr. Messel reported this item regarding the Home Occupation Ordinance was tabled at the last meeting in order to get input from the commissioners who were unable to attend. He explained the need for the ordinance changes and reviewed the ordinance with the commission.

Commissioner Stucki had questions on the type of business and size of the lot. He stated people with 20 acres are limited to the same type of restrictions as people with a quarter acre. The ordinance as written is somewhat subjective. He spoke about the types of businesses and their locations. He asserted the business license ordinance should be less restrictive. Mr. Messel answered they had looked at various ways to make this work. This ordinance is less restrictive than the current ordinance.

The commission and staff reviewed and discussed the ordinance at length. The discussion involved lot sizes, zoning, and types of businesses. It was determined that a work meeting would be a good way to work on this ordinance. The work meeting was scheduled for July 22, 2014 at 1:30 p.m. in the planning department conference room.

**MOTION: Commissioner Everett MOVED to table recommendation to the County Commission to approve and adopt the amendments to Washington County Zoning Ordinances Creating Title 10, Chapter 26 HOME OCCUPATION, and amending applicable definitions until such time as staff and the commission are comfortable with changes discussed and amendments are made to the documents. Commissioner Stucki SECONDED. Chairman Wilson called for discussion on the motion. There being none, he called for a vote. The motion carried with all five (5) Commissioners voting in favor.**

**III. FINAL PLAT.** Review of Final Plat for Grassy Meadows Sky Ranch Phase 6A. Consisting of 3 lots located near Sky Ranch Subdivision near Hurricane. Zoned RA-1 (Residential Agricultural 1 acre minimum lot size requirement); Applicant: Fernwood LLC, Sky Ranch Phase 6 LLC/Reid Pope.

Mr. Messel reported neither the applicant nor a representative was present. It was tabled at the last meeting because there was no representative. He asked the commission if they wanted to hear the item or continue tabling it until a representative can come to the meeting.

**MOTION:** Commissioner Balen **MOVED** to table Review of Final Plat for Grassy Meadows Sky Ranch Phase 6A; Consisting of 3 lots located near Sky Ranch Subdivision near Hurricane. Zoned RA-1 (Residential Agricultural 1 acre minimum lot size requirement); Applicant: Fernwood LLC, Sky Ranch Phase 6 LLC/Reid Pope until the applicant or representative can attend. Commissioner Stucki **SECONDED**. Chairman Wilson called for discussion on the motion. There being none, he called for a vote. The motion carried with all five (5) Commissioners voting in favor.

Commissioner Stucki stated he had a question. In the minutes it states we will allow this to be built to a lessor standard because it is in Hurricane. Is this correct? Is it not in the county?

Mr. Edwards explained to the commission that the roads were not part of the (de)annexation and would remain under Hurricane's jurisdiction and they had indicated they wanted the road to remain as it currently is. Part of the problem with this is that the (de)annexation has not been completed yet.

A short discussion regarding the roads and the (de)annexation took place. Chairman Wilson stated the motion was made and we will not discuss this further. He asked Mr. Messel to move to the next item.

**IV. STAFF DECISIONS.** Decisions from the Land Use Authority Staff Meeting held on July 01, 2014.

Mr. Messel reported on the Land Use Authority Staff Meeting held on July 01, 2014 that included a review of a possible family cemetery on approximately 5 acres of the 320 acre Parcel 2061-A-HV; located on Smith Mesa Road, zoned A-20 (Agricultural 20 acre minimum lot size); Applicant: Roma's Red Ledges LLC. The commission and staff discussed the cemetery ordinance that they believed had gone through the process but was never completed.

A commercial campground request from Brent Fitzpatrick on Parcel 2070-HV; zoned OST-20 was reviewed. There are some additional requirements that Mr. Fitzpatrick will need to submit for approval.

**V. MINUTES.** Consider approval of the minutes of the regular planning commission meetings held on June 10, 2014.

The commission reviewed the June 10, 2014 minutes.

**MOTION:** Commissioner Balen **MOVED** to approve the minutes of the June 10, 2014 meeting as written. Commissioner Everett **SECONDED**. Chairman Wilson called for discussion on the motion. There being none he called for a vote. The motion carried with all five (5) Commissioners voting in favor.

**VI. COUNTY COMMISSION ACTION REVIEW.** Review of action taken by the County Commission on planning items; County initiated.

Mr. Messel stated there is nothing to report.

**VII. COMMISSION & STAFF REPORTS.** General reporting on various topics; County initiated.

Mr. Messel stated there is nothing to report.

**Commissioner Everett moved to adjourn the meeting at 3:00 p.m.**

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Doreen Bowers-Irons, Planning Secretary

Approved: 12 August 2014